

CONTINUATION OF CRIMINAL COMPLAINT

I, Justin Reniger, being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of a criminal complaint charging DR. RICHARD SAMUEL PIAZZA with conspiracy to distribute Schedule II and IV controlled substances, in violation of 21 U.S.C. §§ 846, 841(a)(1), 841(b)(1)(C), and 841(b)(2), from in or about December 2017 through the present, in the Western District of Michigan, Southern Division, and elsewhere.
2. I am a Task Force Officer with the Drug Enforcement Administration, a position I have held since September 2018. I am also a Detective with the Albion Department of Public Safety and have more than 5 years of law enforcement experience. My duties include the investigation of alleged violations of federal drug trafficking laws.
3. The information contained in this continuation comes from my personal observations, my training and experience, and information provided to me by other law enforcement officers who have participated in the investigation. This continuation is intended to articulate sufficient probable cause to support charges in the complaint and does not represent all of the information and evidence gathered in this case.

PROBABLE CAUSE

4. This investigation has revealed that, from in or about December 2017 through the present, DR. RICHARD SAMUEL PIAZZA wrote prescriptions for opioids and other controlled substances outside of the usual course of professional practice and for no legitimate medical purpose. DR. RICHARD SAMUEL PIAZZA wrote these prescriptions in exchange for cash and illegal drugs such as methamphetamine, without conducting physical examinations or any other sort of examination.
5. The Controlled Substances Act (21 U.S.C. §§ 801-971) governs the manufacture, distribution, and dispensing of controlled substances in the United States. The Act provides that “it shall be unlawful for any person knowingly and intentionally to distribute, or dispense … a controlled substance.” 21 U.S.C. § 841(a)(1).
6. The Act contains certain limited exceptions to this broad prohibition on the distribution and dispensing of controlled substances. Among those exceptions is the circumscribed authority of licensed physicians and pharmacies “registered by the Attorney General … [to] distribute, or dispense, controlled substances … to the extent authorized by their registration and in conformity with other provisions of the [Act]”. 21 U.S.C. § 822(b).

7. The authority of licensed physicians to distribute and dispense controlled substances is strictly limited by the following regulation:
 - a. A prescription for a controlled substance to be effective must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice.... An order purporting to be a prescription issued not in the usual course of professional treatment or in legitimate and authorized research is not a prescription within the meaning and intent of [the Controlled Substances Act] and ... the person issuing it, shall be subject to the penalties provided for violations of the provisions of law relating to controlled substances. 21 C.F.R. § 1306.04(a).
8. Under these provisions, a physician who prescribes controlled substances outside the usual course of professional practice or without a legitimate medical purpose violates the Controlled Substances Act and is subject to the same penalties provided by the Controlled Substances Act to individuals who sell illegal drugs on the street. *United States v. Moore*, 423 U.S. 122, 124 (1975) (“registered physicians can be prosecuted under [21 U.S.C. §] 841 when their activities fall outside the usual course of professional practice.”).
9. The Controlled Substances Act contains five schedules of controlled substances – Schedules I through V. Controlled substances are placed into these Schedules according to their accepted medical use, potential for abuse, likelihood of physical or psychological dependency, and accepted safety for use under medical supervision. Of controlled substances that are approved for medical use, Schedule II controlled substances have the highest potential for abuse and may lead to serve psychological or physical dependence. Schedule III – V controlled substances are approved for medical use but have a lesser potential for abuse than Schedule II controlled substances.
10. Oxycodone is the generic name of a widely abused and addictive opioid that is classified as a Schedule II controlled substance. It is marketed under trade names such as OxiContin, Percocet, Percodan, Endocet, Endodan, Roxicodone, and Roxicet.
11. Hydrocodone is the generic name of a widely abused and addictive opioid that is classified as a Schedule II controlled substance. It is marked under trade names such as Norco, Lorcet, Lortab, and Vicodin.

12. Hydromorphone is the generic name of a widely abused and addictive opioid that is classified as a Schedule II controlled substance. It is marketed under trade names such as Dilaudid.
13. Alprazolam, Diazepam, and Lorazepam are widely abused benzodiazepines classified as a Schedule IV controlled substances that are prescribed to treat anxiety and panic attacks. They are marketed under trade names such as Xanax and Ativan.

**DR. RICHARD SAMUEL PIAZZA'S MEDICAL LICENSES AND
PRIOR MEDICAL LICENSE DISCIPLINARY HISTORY**

1. DR. RICHARD SAMUEL PIAZZA is registered with the DEA as a practitioner and has been assigned DEA Registration number ##### for the purposes of prescribing Schedule II – V controlled substances. This registration was issued to him on January 29, 2009. His registered place of business is 1505 Lake Drive SE, Grand Rapids, Michigan. That address is also the storefront for a business called the Society of Healing Arts Institute (“SOHAI”) which advertises that it provides medical marijuana certifications and holistic medicine services.
2. On August 29, 2008, the State of Michigan issued DR. RICHARD SAMUEL PIAZZA Osteopathic Medicine and Surgery License number #####. On September 4, 2008, it issued him a pharmacy type CS-3 license to prescribe controlled substances. According to the State of Michigan License and Regulatory Affairs website, there are no complaints or disciplinary actions associated with his licenses.
3. From 1988 through 2005, DR. RICHARD SAMUEL PIAZZA was previously registered with the DEA as a practitioner in the State of Kansas. In 1995, DR. RICHARD SAMUEL PIAZZA voluntarily surrendered his DEA license to prescribe Schedule II and III controlled substances for overprescribing, and likewise surrendered his Kansas state license to prescribe Schedule II and III controlled substances.
4. According to the Osteopathic Medical Board of California, DR. RICHARD SAMUEL PIAZZA was issued a license to practice osteopathic medicine there. On July 26, 1996, he voluntarily surrendered this license to resolve an undisclosed disciplinary action.
5. According to the Iowa Board of Medicine, DR. RICHARD SAMUEL PIAZZA was issued a license to practice osteopathic medicine on July 1, 1988. On May 22, 1997, the Iowa Board disciplined DR. RICHARD SAMUEL PIAZZA for being sanctioned in Kansas and California.

6. On August 17, 2006, the Iowa Board of Medicine charged DR. RICHARD SAMUEL PIAZZA with engaging in a pattern of unprofessional conduct and with engaging in fraud in procuring a medical license because he failed to provide complete, accurate, and truthful information in an application to reinstate his Iowa medical license.
7. According to the Iowa Board of Medicine, DR. RICHARD SAMUEL PIAZZA failed to report on an application for reinstatement of his medical license that he had been charged with numerous criminal acts in 2000 - 2005, including battery, disorderly conduct, unlawful discharge of a firearm, domestic violence, bodily harm, violation of a protective order, and trespassing.
8. According to the terms of a settlement agreement with DR. RICHARD SAMUEL PIAZZA, the Iowa Board of Medicine issued him a public reprimand and held that he could not seek reinstatement of his Iowa medical license until he completed a professional misconduct evaluation, an ethics program, a comprehensive competency evaluation, and paid a fine.
9. In or about September 2018, DR. RICHARD SAMUEL PIAZZA was arrested and charged in Montcalm County, Michigan (Case No. 18-3303) with one count of possession of a controlled substance less than 25 grams, specifically cocaine, and one count of delivery or manufacture of marijuana or a synthetic equivalent. He was subsequently released on bond. On October 24, 2018, a preliminary hearing was held on the charges, the court found probable cause for both charges, and the case was bound over to the Circuit Court for prosecution there.

**THE CONSPIRACY TO DISTRIBUTE SCHEDULE II AND SCHEDULE IV
CONTROLLED SUBSTANCES OUTSIDE THE USUAL COURSE OF
PROFESSIONAL PRACTICE OR WITHOUT A LEGITIMATE MEDICAL PURPOSE**

10. In 2018, the DEA received information from a pharmacist who reported that DR. RICHARD SAMUEL PIAZZA for writing a large number of opioid prescriptions that were being filled at his/her pharmacy. The pharmacist thought this was strange because it was the pharmacist's understanding that DR. RICHARD SAMUEL PIAZZA was a holistic medical marijuana doctor.
11. In January 2018, investigators were provided with three controlled substance prescriptions written by DR. RICHARD SAMUEL PIAZZA to three separate individuals. All three prescriptions had been discovered in Unindicted Coconspirator #1's jacket pocket. The prescriptions were for 160 hydrocodone 10 mg, 120 hydrocodone 10 mg, and 120 hydromorphone / Dilaudid.

12. Investigators interviewed Unindicted Coconspirator #1, who admitted that he had obtained the prescriptions from DR. RICHARD SAMUEL PIAZZA, with whom he had been conspiring to sell the prescription pills on the street. Unindicted conspirator said that he paid DR. RICHARD SAMUEL PIAZZA in cash or methamphetamine for prescriptions in his own name, and also provided Dr. RICHARD SAMUEL PIAZZA with the names of other individuals in whose names PIAZZA would write prescriptions. Unindicted Conspirator #1 said that he would pay people to fill these prescriptions and bring the pills back to him, which he (Unindicted Coconspirator #1) would sell on the street. Unindicted Coconspirator #1 said he paid DR. RICHARD SAMUEL PIAZZA \$350 to \$400 per prescription. Unindicted Coconspirator #1 said DR. RICHARD SAMUEL PIAZZA never conducted a physical examination of him or of the other individuals in whose names he obtained controlled substance prescriptions from PIAZZA.
13. Unindicted Coconspirator #1 estimated that DR. RICHARD SAMUEL PIAZZA had written at least 30 controlled substance prescriptions in this manner, and provided investigators with the names of some of the individuals in whose names the prescriptions were written. A review of the Michigan Automated Prescription System ("MAPS") confirmed that DR. RICHARD SAMUEL PIAZZA had written two prescriptions for hydrocodone 10 mg to Unindicted Coconspirator #1 in January 2018 for a total of 210 hydrocodone pills. DR. RICHARD SAMUEL PIAZZA also wrote Unindicted Coconspirator #1 four prescriptions for Alprazolam 2 mg on a single day in January 2018. MAPS confirmed that DR. RICHARD SAMUEL PIAZZA wrote hydrocodone or alprazolam 2 mg prescriptions to the other individuals identified by Unindicted Coconspirator #1.
14. In September and October 2018, Unindicted Coconspirator #2 told investigators that DR. RICHARD SAMUEL PIAZZA wrote him a prescription for Percocet and directed him to fill the prescription and provide the Percocet pills to another individual to whom DR. RICHARD SAMUEL PIAZZA owed money for crystal methamphetamine. A review of MAPS confirmed that DR. RICHARD SAMUEL PIAZZA wrote Coconspirator #2 a prescription for oxycodone (the generic form of Percocet) in September 2018.
15. Unindicted Conspirator #2 also told investigators that he had driven with DR. RICHARD SAMUEL PIAZZA to various locations in West Michigan so that PIAZZA could write controlled substance prescriptions to individuals at those locations in exchange for cash, marijuana, or other drugs.

16. In September and December 2018, investigators observed DR. RICHARD SAMUEL PIAZZA at one of the locations identified by Unindicted Coconspirator #2 which is in Montcalm County, Michigan. A review of MAPS revealed that, between December 2017 and January 3, 2019, DR. RICHARD SAMUEL PIAZZA wrote 76 prescriptions for controlled substances to six different individuals at that location, including 36 prescriptions for hydrocodone 10mg, 20 prescriptions for oxycodone, and 19 prescriptions for diazepam and lorazepam. The total number of pills DR. RICHARD SAMUEL PIAZZA prescribed to individuals at this location was 2,985 hydrocodone 10 mg, 2,520 oxycodone, and 3,480 diazepam and lorazepam. The large number of prescriptions for highly-abused controlled substances written by DR. RICHARD SAMUEL PIAZZA to individuals at this address, coupled with the fact that six different people at the same address were receiving the same or substantially the same prescriptions from him, indicates that those prescriptions were written outside of the usual course of professional conduct and for no legitimate medical purpose.
17. Unindicted Coconspirator #2 told investigators that he witnessed DR. RICHARD SAMUEL PIAZZA write controlled substances to two other individuals in exchange for money, cocaine, and crack cocaine. A review of MAPS confirmed that, between September 2018 and January 20, 2019, DR. RICHARD SAMUEL PIAZZA wrote the two individuals identified by Coconspirator #2 fifteen controlled substance prescriptions consisting of nine prescriptions for oxycodone, five prescriptions for hydrocodone, and one prescription for alprazolam, for a total of 1,366 pills.
18. Unindicted Coconspirator #3 told investigators that he obtained controlled substance prescriptions from DR. RICHARD SAMUEL PIAZZA in exchange for cash and methamphetamine. Unindicted Coconspirator #3 said that he would obtain names, addresses, and other identifying information from various individuals and provide that information to DR. RICHARD SAMUEL PIAZZA, who would write controlled substance prescriptions in their names. Coconspirator #3 had the prescriptions filled and sold the pills on the street.
19. Investigators conducted a search of DR. RICHARD SAMUEL PIAZZA's cellphone pursuant to a search warrant (Case No. 1:18-mj-437). This search revealed numerous text messages to and from DR. RICHARD SAMUEL PIAZZA concerning the prescribing of controlled substances outside of the usual course of professional practice and for no legitimate medical purpose.
20. For example, on June 24, 2018, DR. RICHARD SAMUEL PIAZZA sent a text message which said, "*I got robbed last night in Cleveland by 2 bookers [sic]. They were caught and arrested, but had no money on them. If you could send me a hundred or so dollars o*

[sic] will guarantee [sic] your meds free 6 months Richard S. Piazza Cleveland.” A short time later on June 24, 2018, he sent a text message which said, “Dude you have to call me fast as you can, Shana is screw g [sic] up badly. Do not let her fill the script she wrote. She will get caught and get 10 years federal.” On July 3, 2018, PIAZZA received a text which said “I have that one prescription of donalds thst [sic] was already wrote out for adderall and never got filled because you didnt give it the ok... I have it in my hands right now i sell this whole script of 60 thats 700 right there. On top of the kpin [Klonopin] or zan [Xanax] yiu were suplose to send into the pharmacy easily sold one setting.” On July 6, 2018, PIAZZA sent a text message that said, “Dilaudid 8 and sold them for 15-30 each 100-= 1500.00 back home 2 days ago.”

21. On February 5, 2019, investigators were contacted by a pharmacist working at a chain pharmacy regarding a hydrocodone prescription written by DR. RICHARD SAMUEL PIAZZA. The pharmacist reported that prescription had been rejected because of suspicions it was written outside the usual course of professional practice and for no legitimate medical purpose. The individual filling the prescription provided an Ohio address. That individual had tried to fill it at one of the pharmacy chain’s location, had been rejected, and then tried to fill it at a second location. The pharmacist found the prescription suspicious because of the long distance the patient had traveled to visit DR. RICHARD SAMUEL PIAZZA at his office at 1505 Lake Drive, Grand Rapids, Michigan.
22. Based on the foregoing, I respectfully submit that there is probable cause to believe that from in or about December 2017 to the present, in the Western District of Michigan, Southern Division, and elsewhere, DR. RICHARD SAMUEL PIAZZA conspired with persons known and unknown to investigators to distribute Schedule II and Schedule IV controlled substances, in violation of 21 U.S.C. § 846, 841(a)(1), 841(b)(1)(C) and 841(b)(2).